

SOLONS AGAIN IN THE HARNESS

Legislature Reconvenes at Phoenix and Many New Bills Are Introduced.

HUNT PRESENTS BILL TO AID CITY OF GLOBE

O'Neill Fathers Bill for Railroad Commission a la Texas—Three Cent Fare Bill Recommended for Passage.

Special to the Silver Belt.

PHOENIX, Ariz., February 11.—The legislature resumed business today, after a week's recess, and after a fairly long session adjourned until Wednesday on account of Lincoln's birthday.

Many bills, some of importance and most of them of interest, were introduced today in both houses. Councilman Hunt of Gila brought in a bill relating to the incorporation of cities and which is intended for Globe. In short, it is designed to legalize all that has been done there in the way of incorporation.

O'Neill of Maricopa introduced a bill increasing the salary of the assistant superintendent of the territorial prison to \$1,500. McIntyre of Yuma brought in a bill for the appointment of deputy district attorneys in counties of the second class and fixing their salaries at \$750.

Railroad Commissioner

O'Neill introduced a bill for the appointment of a railroad commissioner of three members at a salary of \$2,500, with a secretary at \$2,000 and a clerk at \$1,200. The bill is a modified copy of the Texas law. A similar bill was brought into the house by Bell.

The consensus of opinion is that such a commission would be ineffective in the territories, where the interstate commerce commission is in full control. Though the measure might pass the house there is no possibility of getting it through the council.

A bill was introduced by Blakeley of Mohave providing that service in action against a foreign corporation should be rendered by a representative in the territory may be had on the territorial auditor.

Taxing Express Companies

Among the bills in the house were: By Bell, amending the printing law by authorizing the board of control to have practically entire charge. By Bell, taxing express companies 1 per cent of their gross receipts. By Bell, making a fraud a misdemeanor.

By Cresshaw, fixing the mileage of sheriffs and peace officers at 30 cents per mile one way. This bill is only designed to cure the indefiniteness of the present law.

By Cresshaw, fixing freight at 7 1/2 cents a ton per mile.

By Knook, amending the law creating the office of public examiner by increasing the salary to \$3,500, furnishing a clerk at \$1,200, and giving the examiner more power.

Recommend Three-Cent Fare Bill

There was no afternoon session of the house, but a meeting of the judiciary committee was held to consider Cresshaw's three-cent fare bill. Representatives of all the roads were before the committee and the discussion of it at times became bitter. Frank Cox charged that the bill was the outgrowth of a

strain of Populism which had found its way into the Democratic convention of this county last fall. The committee agreed to recommend the passage of the bill.

SAN JOSE WANTS HENEY FOR ANOTHER LITTLE JOB

By Associated Press. SAN JOSE, Cal., February 11.—The board of supervisors today resolved to make inquiry of Francis J. Heney of San Francisco as to the terms upon which he would consent to aid the local district attorney in making an investigation of alleged election frauds in this county.

Agree to Pennsy Merger

By Associated Press. PHILADELPHIA, Pa., February 11.—The second meeting of the stockholders of the Philadelphia & Reading railroad was held today and by a unanimous vote the merger with the Pennsylvania railroad was ratified.

SENATOR BERRY RAPS AT SMOOT

Arkansas Senator Speaks Ferminst Utah Mormon's Retention of His Seat in Congress.

NO HIGHER PAY FOR OFFICERS AND MEN

Senate Passes Army Appropriation Bill Without Giving Any Assistance to the Personnel or the Enlisted Men.

By Associated Press.

WASHINGTON, February 11.—Senator Berry of Arkansas addressed the senate today in opposition to Senator Smoot's retention of his seat. Berry disclaimed any political or religious prejudice which might contribute to his opposition. He confined his argument primarily to a discussion of the constitutional power of the senate to expel Smoot, holding that any senator "could be expelled by a majority vote of the members of that body."

Mr. Berry's opposition to Mr. Smoot was based on the doctrine of polygamy, which he said was advocated by the Mormon church. It was true that Smoot was not an ever had a polygamist, but Smoot had admitted, he said, that the revelations to the early leaders of the church not only permitted, but commanded, polygamy.

Pass Army Bill

The senate today passed the army appropriation bill, carrying \$81,600,000. The amendment which permitted the government to accept reduced rates on army supplies and permitted officers and enlisted men to accept reduced transportation and an amendment increasing by 20 per cent the pay of officers and enlisted men were defeated on points of order.

Eight Hours on Canal

Secretary Taft, Chairman Shonts and R. E. Rogers, general counsel for the canal commission, were before the house committee on interstate and foreign commerce today. Rogers and Taft stated that the eight-hour law would apply on the isthmus under the proposed contract. Taft states that he was in favor of the proposed contract; that with the highest class of contractors in charge, the work can be done much more rapidly than by the government.

The Weather

WASHINGTON, February 11.—Forecast for Arizona: Fair Tuesday and Wednesday.

JEROME BLOCKS THE NARRATIVE

Evelyn Thaw Off the Stand While Defense Produces a Few Insanity Experts.

WIFE'S NOTE TO THAW PRODUCED AND READ

Not the Words Supposed to Have Contained—Women Are Barred from Courtroom—Protest to the President.

By Associated Press.

NEW YORK, February 11.—Answering a hypothetical question covering every detail of the testimony up to this time in the Thaw trial, Dr. Charles G. Wagner, superintendent of the state hospital for the insane at Binghamton, N. Y., declared on the witness stand today that in his opinion Thaw did not know that his act was wrong when he shot Stanford White. Dr. Wagner stepped aside for later cross examination by Jerome. As court adjourned for the day it was announced that the defense would offer testimony from other alienists tomorrow.

Dr. Wagner's opinion on the hypothetical question furnished a day of legal sparring between Delmas and Jerome. Jerome effectively blocked the completion for the time being of the testimony of Mrs. Evelyn Thaw by insisting that before she could go further competent testimony as to Thaw's unsoundness of mind should be given.

Jerome Blocks Story

Delmas tried to carry forward the young wife's story, but the district attorney was on his feet with an objection to every question. Mrs. Thaw had been recalled as the third witness of the day. One of her predecessors was J. D. Lyon, vice president of the Union National Bank of Pittsburgh, who stated that he had received Thaw's will from the latter's own hand prior to April, 1906, and he had held it in a safe deposit box until late in November last, when he directed his secretary to forward it to Attorney Gleason of Thaw's counsel.

Tracing the Will

Gleason then swore that he had received the will by mail in December, 1906, and that absolutely no changes had been made in the instrument while it was in his possession. Mr. Jerome admitted the progress of the will from Mr. Lyon to Gleason without the necessity of calling the former's secretary. Delmas did not offer the will in evidence, however, owing to the fact that it has not in its entirety been proved as legally executed by Thaw.

When Mrs. Thaw was called to the stand she was dressed precisely as when she occupied the witness chair last week. As she was taking her seat Attorney Delmas turned to the district attorney and renewed his demand of Wednesday that the note which was passed by Mrs. Thaw to her husband at the Cafe Martin on the night of the tragedy should be produced. Jerome-at the former demand remained silent.

Produces Fatal Message

Today he at once said he would send for the slip of paper. It was brought from the office, identified by Mrs. Thaw and read by Delmas as follows: "The b— was here a minute ago." The contents of the note caused surprise only as to its exact wording. It has generally been supposed that the note read, "The b— is here."

"B" Stands for Blackguard

Mrs. Thaw testified today that "b" meant "blackguard," as Thaw always thus referred to White. Another essential point Mrs. Thaw was allowed to bring out was a statement that the defendant never carried a pistol except in New York. She was asked many other questions embodying the various stories she had discussed with Thaw, including the alleged fate of the girl known to them as the "pie girl," at the hands of White, but Mr. Jerome blocked the questions with sustained objections.

Jerome Blocks Expert

Compelling the defense to begin its expert testimony as to Thaw's insanity by his objections, Mr. Jerome next proceeded to block the testimony of Dr. Wagner as to the results of his six visits to the defendant in the Tombs and his tests as to the mental condition. Dr. Wagner was not allowed to go into the conversation he had with the defendant nor the conclusions he had reached from the conversation. He was confined to what he had actually observed and he declared his observations were so closely interfused with his questioning of the defendant that he did not know whether he could separate them. Delmas finally withdrew many of the questions as to the testimony.

Record Breaking Question

He contented himself with asking Dr. Wagner to give his opinion of the hypothetical question covering the evidence in the case. The question was almost record-breaking in its length, being a comprehensive resume of the entire case, including Mrs. Thaw's personal narrative. In it Mr. Delmas accused White of having "drugged" Miss Nesbit and of having attempted to renew his "communication or relations" with her subsequent to her marriage. Mr. Jerome objected to these features and it was amended to embrace the evidence of record as to the disputed points.

No More Women

Dr. Evans of the New Jersey state hospital for the insane will be the first witness for the defense tomorrow. A new rule by Justice Fitzgerald barring

from the courtroom all women not engaged in active newspaper work went into effect today. Many of those who, bedecked in gala costumes, had occupied front seats heretofore, were on hand early this morning, but to no avail. The court officers had direct orders this time and obeyed them. As a result, there were many empty benches in the courtroom all day.

Would Bar Newspapers

WASHINGTON, February 11.—President Roosevelt has received a number of protests from persons who think that newspapers printing the full details of the Thaw case should be prohibited transmission through the mails. One of these was a long telegraphic protest from a newspaper, the name of which was not given. A recent discussion of the question in Canada, notably in the Canadian parliament, and the statement of the postmaster general at Ottawa, that any newspapers publishing such evidence as given in the Thaw case Thursday would be guilty of a misdemeanor under Canadian law was also brought to the attention of the president.

FEDERAL COURT STARTS SESSION

Hearing of James and Mattie Lemons for Complicity in Rapier Forgery Case

The United States court began its first session yesterday since its removal from Solomonville to Globe and almost all of the United States officials of the territory are in the city to attend the session. The only case to come before this session is that of James and Mattie Lemons of Pearce, charged with complicity with Phil Rapier in defrauding the government by forging checks intended to be used in paying off government employees at Roosevelt.

The jury to try the case was selected without much trouble, the necessary panel being secured before the noon adjournment yesterday. The following are the members of the jury: D. J. McNeil, T. C. Woody, Thomas East, Charles K. Layton, Eugene Middleton, George M. Nicks, Paul Adams, Walter Snedden, John Maloney, T. T. Hunter, Edwin Stauffer and W. W. Dameron.

The accused are represented by Attorneys Allan R. English and W. G. Gilmore of Tombstone and the government's case is being looked after by United States Attorney J. L. B. Alexander and his assistant, Edwin F. Jones.

A large number of witnesses from Globe and Pearce were placed on the stand by the prosecution yesterday afternoon, and the government's case had not been concluded when court adjourned until 9:30 this morning.

Rapier, who was sentenced in Cochise county to serve seven years, was brought here Sunday evening from Yuma prison by United States Marshal Ben F. Daniels, to appear as a witness for the defense and he was brought in court yesterday to be identified by F. Selkingshouse, a jewelry merchant of Los Angeles. The witness identified Rapier as the man to whom he sold a diamond ring and for which he received a forged government check. He stated that Mrs. Lemons was with Rapier when the ring was purchased. Two business men of Pearce testified to cashing similar checks for the Lemons. Mrs. Lemons was formerly employed in a Globe saloon and was known here as Mattie Gwin.

READY FOR WAR IN NICARAGUA

President of Honduras Wires that His Country Is Ready To Repel Invasion

By Associated Press.

PANAMA, February 11.—The Associated Press received the following dispatch from President Bonilla of Honduras: "Nicaragua is concentrating a considerable armed force upon the frontier of Panama without having made a declaration of war. We are assured the invasion will take place soon. Honduras is ready to repel the movement. Manuel Bonilla."

A well known Central American merchant who is familiar with the present designs of various republics informed the correspondent of the Associated Press that President Zelaya of Nicaragua, believing that he holds the balance of power in Central America, wants to put the matter to the test and that he will oppose intervention by the United States.

EIGHT-HOUR DAY FOR OKLAHOMA MINERS

By Associated Press.

GUTHRIE, Okla., February 11.—The constitutional convention today adopted a plank creating an eight-hour provision for men actually engaged in Oklahoma mines. It was accepted with the specification, "underground workers," made to distinguish that class of laborers from others connected with the mines. Another plank provides for a state mining inspector whose term of office is to be four years.

Governor Higgins Failing

By Associated Press. OLEAN, N. Y., February 11.—Former Governor Higgins failed perceptibly this afternoon and evening.

NO SETTLEMENT YET SAYS MAYOR

After Long Confab at White House, Schmitz Announces Concessions Must Be Made.

SCHOOL QUESTION NOT THE VITAL ONE

What Californians Want Is Exclusion of Japanese Coolies—Meeting Today Will Probably End the Affair.

By Associated Press.

WASHINGTON, February 11.—As a result of an hour's conference at the White House this afternoon, at which President Roosevelt, Secretary Root, Mayor Schmitz of San Francisco and members of the school board of that city participated, Schmitz late tonight made a statement summarizing the situation. When asked whether the proposition submitted by the San Francisco delegation called for the exclusion of Japanese coolie labor from this country, Schmitz replied:

"We are not making a treaty and are not discussing with the president the question of excluding the Japanese from this country by treaty. Saturday we heard the president's views and today we gave our side of the question. It now remains for us to modify our views in order to reach an agreement with the president or for Roosevelt to modify his views to reach an agreement with the United States. Today's conference adjourned subject to call of the president and I do not believe we shall be called to the White House again until Thursday or Friday."

May Be Settled Today

It has been agreed that the whole matter will be considered at another meeting tomorrow. Schmitz declined to state whether the question of excluding the Japanese coolies by legislation formed a part of the proposition which was submitted today in writing. Schmitz and other members of the San Francisco delegation have received hundreds of telegrams urging the advocacy of a treaty excluding Japanese laborers and legislation by congress to carry out the provisions of this treaty.

The mayor has admitted to members of the California delegation in congress that while he is very anxious to reach a satisfactory agreement with the president and stands willing to make any concessions that will be for the good of the whole country, yet he hesitates to make any agreement that will not meet with the approval of Californians. The private dispatches from the coast have in all instances indicated the wide interest of the people there.

President Appeals to Mayor

It can be stated that the president has appealed to Schmitz and his associates to bring the anti-Japanese agitation to an end by rescinding the order for oriental schools. Under the California law the question of separate schools is left to the discretion of the school authorities and before the earthquake disaster the Japanese were admitted to white schools.

Schmitz declared that the only reason for establishing separate schools was because the Japanese were crowding the whites out in certain districts. When asked as to the general tone of the telegrams received from San Francisco, Schmitz said: "The people of California do not give a rap about the school question; they are opposed to the admission of Japanese coolies into this country."

Will Not Talk So Much

Members of the California delegation in congress tonight expressed ignorance of the basis of settlement. The widespread newspaper comment was deprecated and the conference and participants pledged themselves anew to refrain from statements until some conclusions have been reached. The San Francisco delegation has agreed that all statements for publication must come from Schmitz while acting as spokesman for the delegation. As the Californians were leaving the White House this afternoon the mayor was asked if a copy of a Japanese treaty on the exclusion of laborers from that country had been exhibited, but Schmitz replied that he had not seen anything of the sort.

Secretary Loeb announced that there will be no statement from the White House. Secretary Root remained with the president for some time after the Californians left and towards nightfall took a long walk with him.

NEW DIRECTORS SMELTER TRUST

A. L. Walker, Formerly of Old Dominion, Becomes High Trust Official

By Associated Press.

NEW YORK, February 11.—The board of directors of the American Smelters Securities company today increased its membership by two and elected the following directors and members of the executive committee: Arthur L. Walker, Joseph Clendenin, John MacGowan and William H. Pierce. J. H. Steele, general counsel of the

company, was elected a director. The directors of the American Smelting & Refining company today increased its executive committee by two, electing A. L. Walker, Joseph Clendenin and John MacGowan. One of these succeeds to the vacancy caused by the resignation of Senator Giffenheim.

INTERNAL MACHINE IN COUNT WITTE'S CHIMNEY

LONDON, February 11.—A special dispatch from St. Petersburg says that an internal machine was discovered accidentally last night in a chimney of the house occupied by Count Witte, former premier. The machine was set to explode after the family had retired.

EARTHQUAKE SHOCK FELT IN VIRGINIA

CHARLOTTESVILLE, Va., February 11.—An earthquake of considerable violence was felt throughout this section at 8:30 this morning. The shock was recorded at the University of Virginia at the Leander McCormick observatory as lasting about twenty seconds.

RETAIN CONTROL GRAZING LANDS

President Insists on Protection for Homesteaders and Ar-rains Sheepmen.

PUBLIC HEARING ON GOVERNMENT POLICY

Cattle and Sheepmen Attend Committee Session—Roosevelt Modifies Recent Patent Order as to Homesteaders.

By Associated Press.

WASHINGTON, February 11.—The government policy in regard to the control of grazing land in the public domain and the interests of large and small cattlemen, sheepmen and the effect of the stockmen upon homesteaders, were considered today at a public hearing before the senate committee on agriculture. The hearing was had on an amendment by Senator Burkett of Nebraska to the agricultural appropriation bill authorizing the secretary of agriculture to district unreserved land and charge and collect reasonable fees for grazing.

During the proceedings a letter from President Roosevelt addressed to Senator Warren was read. It endorsed the general control by the government of grazing lands, but insisted upon the protection of homesteaders and arraigned the sheepmen severely.

Patent Order Modified

The president's order of January 25 forbidding the issue of a final certificate of patent or other evidence of title to public lands until an actual investigation was made on the ground by an authorized government officer, was made the subject of a conference at the White House and was participated in by Commissioner of Corporations Garfield, Gifford Pinchot, Representatives Steiensen and Gronna and several representatives of the geological survey. Steiensen said the president and his advisers had agreed to add to the exceptions to his general order so as to provide that title may be issued in all homestead entries upon which proof of five years' residence has been made in accordance to law. Another conference will be held tomorrow.

New Rear Admiral

By Associated Press. WASHINGTON, February 11.—The president sent to the senate today the nomination of George A. Bicknell to be rear admiral.

STEVE ADAMS ON TRIAL FOR LIFE

Man Implicated in Orchard's Confession Center of Great Legal Battle in Idaho.

STATE FAILS TO GET CONTINUANCE

Twelve Jurors Selected but Defense Has Not Examined Them Yet—For Murder of Settler Over Two Years Ago.

By Associated Press.

SPOKANE, Wash., February 11.—The legal battle for the life of Steve Adams began this morning in the mining town of Wallace, Idaho. On one side were the forces of the state seeking Adams' conviction as the first step toward convicting the leaders of the Western Federation of Miners, who are charged with the assassination of former Governor Frank Steiensen of Idaho. On the other side is the powerful federation, with all the many resources at its command, declaring that the charges are false and an attempt by the mine owners to break up the union. The crime charged against Adams is the murder of Fred Tyler, a settler who disappeared from his timber claim on Marble creek, about August 10, 1904, and whose body was found later. His murder remained a mystery till after the assassination of Ex-Governor Steiensen.

Implicated by Orchard's

Harry Orchard's graphic confession not only implicated Steve Adams and other federation men in the governor's murder, but declared Adams and Jack Simpkins also killed Tyler because he had taken up a timber claim. Simpkins has never been found.

Adams was arrested at Haines, Ore., February 20, 1906, and taken to Boise, where it is alleged he confessed to the Tyler murder. The confession he now denies and it is believed he will claim that it was wrong from him by force and is false. Later he was spirited away from Boise to Wallace, Sheriff Sutherland leaving the railway and journeying by wagon to avoid the service of legal papers to get his prisoner from him.

Continuance not Granted

Shortly after court convened today the state moved the case be continued until tomorrow, owing to the fact that Senator-Elect Borah, the chief of counsel for the state, was unable to be present. The defense objected and the objection was sustained. The state then began the examination of jurors. Seventeen were examined and twelve selected by the state. The defense is examining the jurors selected by the state this afternoon.

AUSTRALIAN GRATERS SENT TO PENITENTIARY

ADELAIDE, South Australia, February 11.—Charles Tucker, member of the South Australian parliament, and a customs agent named Forwood have been sentenced to two years' imprisonment for conspiring to commit extensive frauds.

Queen Lili Again

WASHINGTON, February 11.—Vice President Fairbanks today laid before the senate for Lilioukalani, former queen of the Hawaiian islands, a second addition to the petition filed by her in 1905, praying for settlement of her claim for the sovereign lands taken from her at the time of the acquisition of the islands by the United States. She asks in this addition of 150 type-written pages that action be taken at the present session of congress.



FINLEY PETER DUNNE.

If Finley Peter Dunne hopes to become as famous a humorist as Mark Twain, he should change his name to F. P. Dooley. It is Mr. Dooley who is famous, though Mr. Dunne does Mr. Dooley. Just now he is writing a new series of Dooley talks, which some critics consider better than those preceding them. Mr. Dunne was born in Chicago not quite forty years ago.



NORRIS BROWN, NEBRASKA SENATOR ELECT.

Norris Brown as attorney general of Nebraska won a fight for the people a year ago when he compelled the railroads to pay taxes on the property valuation fixed by the county assessors. For that service he has just been rewarded by election to the United States senate, succeeding J. H. Millard, a railroad official. The Republican primaries nominated Mr. Brown, who is an earnest advocate of the popular election of senators. He is a native of Iowa, is in his forty-fourth year and has lived at Kearney, Neb., since 1888.